C2 R_4 is selected from the group consisting of methyl, ethyl, oxo, isopropyl, n-propyl, isobutyl, n-butyl, t-butyl, 2-hydroxyethyl, 3-hydroxypropyl, 3-hydroxy-n-butyl, 2methoxyethyl, 4-methoxy-n-butyl, 5-hydroxyhexyl, 2-bromopropyl, 3-dimethylaminobutyl, 4-chloropentyl, methylamino, methylaminomethyl, dimethylamino, aminomethyl, and methylphenyl.

22. (Amended) The compound of claim 1, wherein R_1 is 5-hydroxyhexyl, R_2 is methyl and R_3 is hydrogen.

C3 23. (Amended) The compound of claim 1, wherein R_1 is 5-hydroxyhexyl, and R_2 and R_3 are methyl.

24. (Amended) The compound of claim 1, wherein R_1 is 5-hydroxyhexyl, R_2 is methyl and R_3 is $-CH_2OEt$.

25. (Amended) The compound of claim 1, wherein R_1 is 5-hydroxyhexyl, R_3 is methyl and R_4 is hydrogen.

REMARKS

This supplemental amendment is submitted to claims 1, 3 and 22-25. No new matter has been added. Specifically, claim 1 has been amended to include a dialkylamino moiety in R_4. Support for this amendment can be found at, *inter alia*, page 25 and in Table 2, page 110, Ex. R, Compound No. CT12485. The claim has also been further amended to correct an obvious error with respect to the term "$C_{(1-20)}$tetraaminoalkyl." Since there must be a bond open to bond the group to Z in the formula set forth in the claim, a group having one carbon (a methyl group) is chemically impossible. Accordingly, the term has been changed to --$C_{(2-20)}$tetraaminoalkyl--.

Claim 3 has been amended to add two moieties for R_4, namely, methylaminomethyl and dimethylamino. Support for these moieties can be found at, *inter alia*, page 25 of the

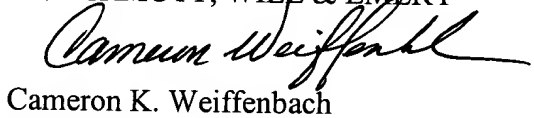
specification and in Table 2 on pages 109-110 of the specification, namely, Examples H and R, respectively.

Claims 22-25 have been amended to correct an obvious error. The claims should have recited R_1 as 5-hydroxylhexyl. These claims were presented to cover the compounds in Table 1 on pages 27-76 of the specification. Support for the claims can be found in Table 1 and in original claim 9.

Favorable consideration and prompt allowance of the pending claims are respectfully requested. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Cameron K. Weiffenbach
Registration No. 44,488

Willem F. Gadiano
Registration No. 37,136

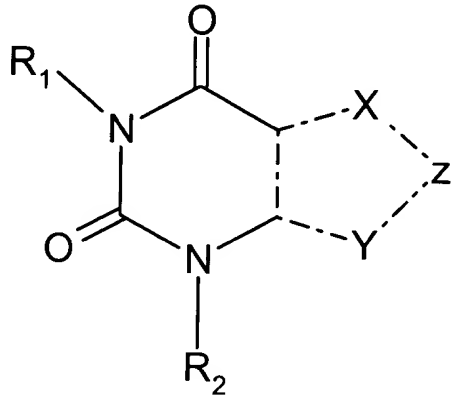
600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 CKW:MWE
Facsimile: (202) 756-8087
Date: January 6, 2003

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend claims 1, 3 and 22-25 as follows:

1. (Four Times Amended) A therapeutic compound, including resolved enantiomers, diastereomers, tautomers, salts and solvates thereof, having the following formula (I):



I

wherein:

X and Y are N or N(R_3);

Z is C(R_4);

R_1 is selected from a member of the group consisting of hydrogen, methyl, $C_{(5-9)}$alkyl, $C_{(5-9)}$alkenyl, $C_{(5-9)}$alkynyl, $C_{(5-9)}$hydroxyalkyl, $C_{(3-8)}$alkoxyl, $C_{(5-9)}$alkoxyalkyl, the R_1 being optionally substituted;

R_2[,] and R_3 [and R_4] are independently selected from a member of the group consisting of hydrogen, halo, oxo, $C_{(1-20)}$alkyl, $C_{(1-20)}$hydroxyalkyl, $C_{(1-20)}$thioalkyl, $C_{(1-20)}$alkylamino, $C_{(1-20)}$alkylaminoalkyl, $C_{(1-20)}$aminoalkyl, $C_{(1-20)}$aminoalkoxyalkenyl, $C_{(1-20)}$aminoalkoxyalkynyl, $C_{(1-20)}$diaminoalkyl, $C_{(1-20)}$triaminoalkyl, [$C_{(1-20)}$tetraaminoalkyl] $C_{(2-20)}$tetraaminoalkyl, $C_{(5-15)}$aminotrialkoxyamino, $C_{(1-20)}$alkylamido, $C_{(1-20)}$alkylamidoalkyl, $C_{(1-20)}$amidoalkyl, $C_{(1-20)}$acetamidoalkyl, $C_{(1-20)}$alkenyl, $C_{(1-20)}$alkynyl, $C_{(3-8)}$alkoxyl, $C_{(1-11)}$alkoxyalkyl, and $C_{(1-20)}$dialkoxyalkyl;

R_4 is selected from a member of the group consisting of hydrogen, halo, oxo, $C_{(1-20)}$alkyl, $C_{(1-20)}$hydroxyalkyl, $C_{(1-20)}$thioalkyl, $C_{(1-20)}$alkylamino, dialkylamino, $C_{(1-20)}$alkylaminoalkyl,

$C_{(1-20)}$aminoalkyl, $C_{(1-20)}$aminoalkoxyalkenyl, $C_{(1-20)}$aminoalkoxyalkynyl, $C_{(1-20)}$diaminoalkyl, $C_{(1-20)}$triaminoalkyl, $C_{(2-20)}$tetraaminoalkyl, $C_{(5-15)}$aminotrialkoxyamino, $C_{(1-20)}$alkylamido, $C_{(1-20)}$alkylamidoalkyl, $C_{(1-20)}$amidoalkyl, $C_{(1-20)}$acetamidoalkyl, $C_{(1-20)}$alkenyl, $C_{(1-20)}$alkynyl, $C_{(3-8)}$alkoxyl, $C_{(1-11)}$alkoxyalkyl, and $C_{(1-20)}$dialkoxyalkyl; and

— - — - represents a double or single bond;

with the proviso that R_1 is not an ω-1-hydroxyalkyl group having from 5 to 9 carbon atoms when R_3 is hydrogen or methyl and R_4 is hydrogen.

3. (Twice Amended) The therapeutic compound of claim 1, wherein

R_3 [and R_4 are] is selected from the group consisting of methyl, ethyl, oxo, isopropyl, n-propyl, isobutyl, n-butyl, t-butyl, 2-hydroxyethyl, 3-hydroxypropyl, 3-hydroxy-n-butyl, 2methoxyethyl, 4-methoxy-n-butyl, 5-hydroxyhexyl, 2-bromopropyl, 3-dimethylaminobutyl, 4-chloropentyl, methylamino, aminomethyl, and methylphenyl; and

R_4 is selected from the group consisting of methyl, ethyl, oxo, isopropyl, n-propyl, isobutyl, n-butyl, t-butyl, 2-hydroxyethyl, 3-hydroxypropyl, 3-hydroxy-n-butyl, 2methoxyethyl, 4-methoxy-n-butyl, 5-hydroxyhexyl, 2-bromopropyl, 3-dimethylaminobutyl, 4-chloropentyl, methylamino, methylaminomethyl, dimethylamino, aminomethyl, and methylphenyl.

22. (Amended) The compound of claim 1, wherein R_1 is [2-hydroxyhexyl] 5-hydroxyhexyl, R_2 is methyl and R_3 is hydrogen.

23. (Amended) The compound of claim 1, wherein R_1 is [2-hydroxyhexyl] 5-hydroxyhexyl, and R_2 and R_3 are methyl.

24. (Amended) The compound of claim 1, wherein R_1 is [2-hydroxyhexyl] 5-hydroxyhexyl, R_2 is methyl and R_3 is $-CH_2OEt$.

25. (Amended) The compound of claim 1, wherein R_1 is [2-hydroxyhexyl] 5-hydroxyhexyl, R_3 is methyl and R_4 is hydrogen.